

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

INDECK BOILER CORPORATION,)	
)	
Plaintiff,)	Civil Action No. 03-925
)	
v.)	Magistrate Judge Caiazza
)	
INTERNATIONAL BOILER, INC.,)	
<i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Defendant Jeffrey Beals has faxed to the undersigned's chambers a letter inquiring as to two matters in this case. The letter, which has been filed contemporaneously herewith, is construed as a Motion (**Doc. 199**), and said Motion is **GRANTED IN PART** and **DENIED IN PART**.


First, Mr. Beals seeks permission to attend the November 2, 2006 conference by telephone. The Defendant cites financial hardship as the basis for his request. See Mr. Beals' Oct. 16, 2006 letter ("my IBI salary . . . has not been paid since March [2006]").

IBI's purported inability to pay Mr. Beals' salary and traveling expenses only serves to emphasize the gravity of the issues to be addressed at the conference. Although the court is not unsympathetic to the Defendant's situation, the undersigned views it as imperative for Mr. Beals to be in personal attendance so that the parties and court may entertain meaningful discussions regarding these very serious issues.

Mr. Beals also questions whether the due date for his pretrial statement, like IBI's, has been vacated. The Defendant's inquiry is construed as a request to vacate the pretrial statement deadline, and that request is granted. The deadline for Marker & Son's pretrial statement also is vacated, and the parties are encouraged to consider and/or discuss possible settlement options in anticipation of the November 2, 2006 conference.

IT IS SO ORDERED.

October 17, 2006


Francis X. Caiazza
U.S. Magistrate Judge

cc (via email):

Joseph L. Fogel, Esq.
Michele L. Foster, Esq.
Mark S. Frank, Esq.
John M. Silvestri, Esq.
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cc (via first-class U.S. mail & facsimile):

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